

**ASSEMBLY BILL**

**No. 1695**

**Introduced by Assembly Member Ridley-Thomas**

February 21, 2003

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An act to amend Section 71 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1695, as introduced, Ridley-Thomas. Metropolitan water districts: civil service.

(1) Existing law, the Metropolitan Water District Act, authorizes the board of a metropolitan water district to prescribe a system of civil service.

This bill, instead, would require the board of a metropolitan water district to prescribe a system of civil service that, with certain exceptions, includes every officer and employee of the district. The bill would require the district to establish a civil service commission consisting of 5 members appointed by the board for 5-year terms. The bill would require the board to enforce the civil service rules and, by majority vote, to prescribe probationary periods and classifications. The bill would require permanent appointments and promotions to be made in accordance with a general system based on merit ascertained by competitive examination. The bill would authorize a temporary appointment to be made to a position for which there is no employment lists for a period not to exceed 9 months in a 12-month period. By establishing these requirements on a metropolitan water district, the bill would impose a state-mandated program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 71 of the Metropolitan Water District
- 2 Act (Chapter 209 of the Statutes of 1969) is amended to read:
- 3 Sec. 71. (a) The board ~~may~~ shall prescribe a system of civil
- 4 service *in accordance with this section.*
- 5 (b) *The civil service includes every officer and employee of the*
- 6 *district except as otherwise provided in this section.*
- 7 (c) *In the civil service permanent appointments and promotions*
- 8 *shall be made in accordance with a general system based on merit*
- 9 *ascertained by competitive examination.*
- 10 (d) *The board shall establish a civil service commission*
- 11 *consisting of five members appointed by the board for five-year*
- 12 *terms and until their successors are appointed and qualified.*
- 13 *Appointment to fill a vacancy is for the unexpired portion of the*
- 14 *term. Each year the commission shall elect one of its members as*
- 15 *presiding officer.*
- 16 (e) *The board shall enforce the civil service rules and, by*
- 17 *majority vote of all its members, shall prescribe probationary*
- 18 *periods and classifications, and adopt other rules authorized by*
- 19 *statute.*
- 20 (f) *The positions of chief executive officer, chief operating*
- 21 *officer, chief financial officer, and general counsel are exempt from*
- 22 *civil service.*
- 23 (g) *A temporary appointment may be made to a position for*
- 24 *which there is no employment list. A person may serve in one or*
- 25 *more positions pursuant to a temporary appointment for not more*
- 26 *than nine months in a 12-month period.*



1     SEC. 2. Notwithstanding Section 17610 of the Government  
2     Code, if the Commission on State Mandates determines that this  
3     act contains costs mandated by the state, reimbursement to local  
4     agencies and school districts for those costs shall be made pursuant  
5     to Part 7 (commencing with Section 17500) of Division 4 of Title  
6     2 of the Government Code. If the statewide cost of the claim for  
7     reimbursement does not exceed one million dollars (\$1,000,000),  
8     reimbursement shall be made from the State Mandates Claims  
9     Fund.

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